

# Notice of Allowability

Application No.

10/690,110

Examiner

Timothy L. Rude

Applicant(s)

WANNINGER, MARIO

Art Unit

2871

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE and amendment filed 31 October 2007.
2. ☒ The allowed claim(s) is/are 1,2,4,6 and 8-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 31 October 2007 has been entered.

### ***Claims***

Claims 1, 8, 13, and 14 are amended. Claim 15 is added.

### ***Election/Restrictions***

This application is in condition for allowance except for the presence of claim 5 directed to a species non-elected without traverse. Claim 5 does not properly depend from an allowable generic claim. Accordingly, claim 5 has been cancelled.

***Allowable Subject Matter***

Claims 1, 2, 4, 6, and 8-15 are allowed.

The following is an examiner's statement of reasons for allowance:

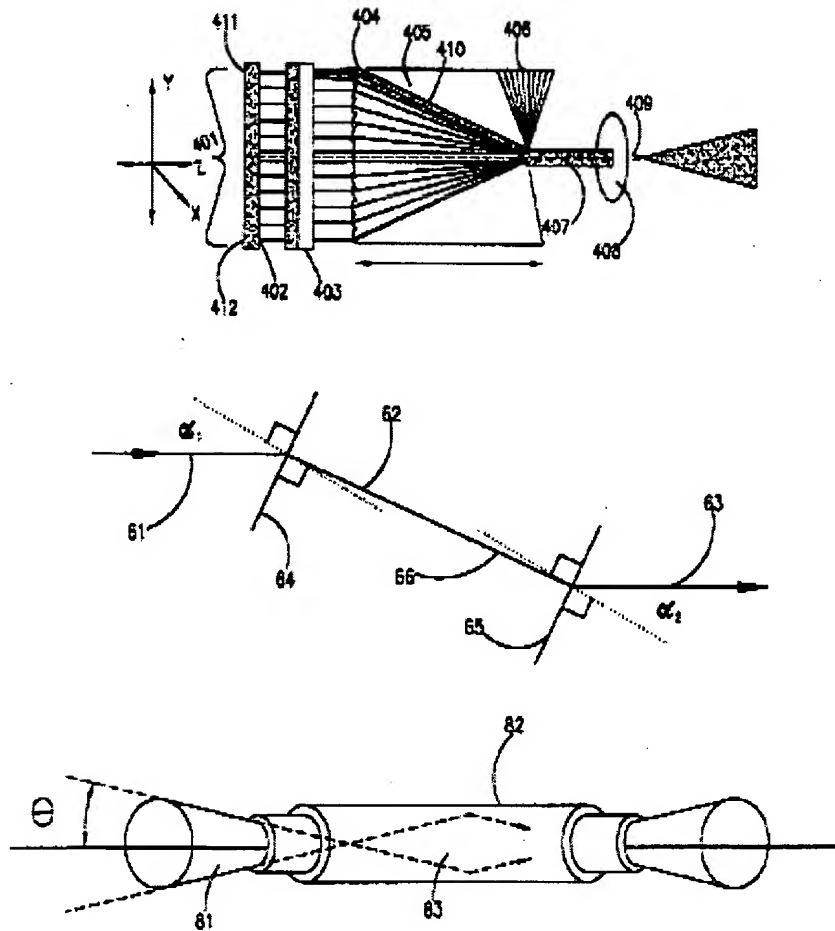
As to independent claim 1, a thorough search of relevant prior art did not disclose, alone or in combination, the coupling-in device for light from a plurality of light sources into an end of an optical waveguide as claimed comprising a plurality of focusing optics for the light from the various light sources, the focusing optics and the coupling-in area being produced in one single piece, the coupling-in area being surrounded by a frame in which the focusing optics are integrated, and wherein the coupling-in area, the frame, and the focusing optics together define a cavity between the coupling-in area and the focusing optics, and the coupling-in area is an inner surface adjoining the cavity.

The closest combination of prior art is Neuberger et al (Neuberger) USPAT 6,005,717 in view of Ota et al (Ota) USPAT 6,950,573 B2, and further in view of Ullman et al (Ullman) USPAT 6,771,686 B1.

Neuberger discloses a coupling-in device for light from a plurality of light sources into an optical waveguide, wherein the coupling-in device has a plurality of focussing optics, 404, for the light from the various light sources [abstract, entire patent], wherein

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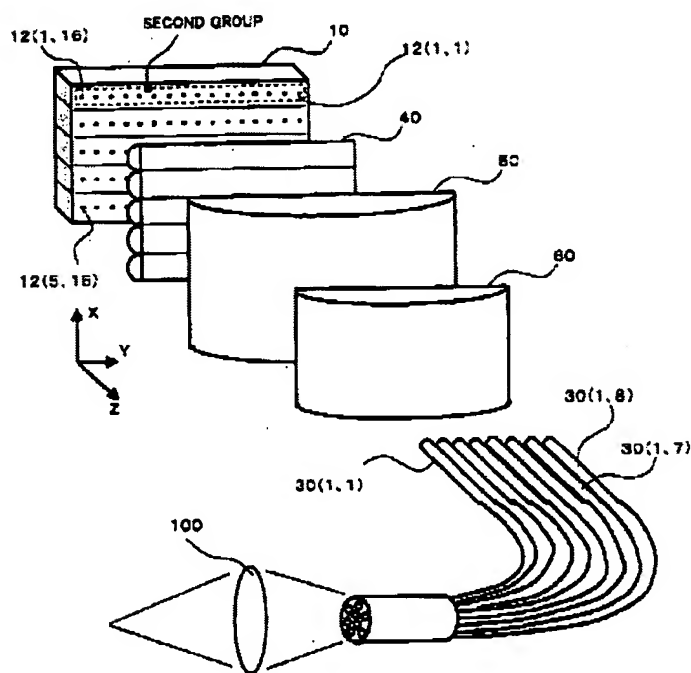
the optical waveguide has a coupling-in area (curve shaped end of fiber below 405), which is likewise formed (Applicant's curved) in focussing fashion.



Neuberger discloses the coupling-in device wherein the geometry of the coupling-in area and the arrangement of the focussing optics are co-ordinated with the respective light source and the diameter of the optical waveguide [inherent to perform properly, please note co-ordinated does not ensure perfect co-ordination].

Ota teaches the use of a device [Figure 1 and col. 2, lines 32-40] having a single curved region, 60, to provide more efficient coupling with better reduction to practice (easier to manufacture).

FIG. 1



Ullman teaches that correction optics may be formed in a number of ways to include one piece or monolithically [col. 2, lines 40-52] to eliminate nonconformities to thereby improve focus quality.

However, no prior art with proper motivation to combine was found to render obvious the particular set of design specific structural limitations as claimed.

Claims 2, 4, 6, and 8-15 properly depend from claim 1 with allowable subject matter above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

References cited but not applied are relevant to the instant Application.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy L. Rude whose telephone number is (571) 272-2301. The examiner can normally be reached on Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Timothy L Rude  
Examiner  
Art Unit 2871

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1/22/08